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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 DWAYNE HAROLD LARRY,
16 Defendant.

Case No. 2:21-mj-00681-EJY

**STIPULATION TO CONTINUE
BENCH TRIAL
(FIRST REQUEST)**

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18 IT IS HEREBY STIPULATED AND AGREED, by and between
19 Christopher Chiou, Acting United States Attorney, and Rachel Kent, Special
20 Assistant United States Attorney, counsel for the United States of America, and
21 Rene L. Valladares, Federal Public Defender, and Benjamin F. J. Nemec,
22 Assistant Federal Public Defender, counsel for Dwayne Harold Larry, that the
23 bench trial currently scheduled on November 24, 2021 at 9:00 am, be vacated and
24 continued to a date and time convenient to the Court, but no sooner than six (6)
25 months.
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This Stipulation is entered into for the following reasons:

1. The parties have determined this case will likely enter litigation and trial. Defense counsel needs additional time to review discovery and research potential pretrial motions. As defense counsel anticipates filing pretrial motions, a six month continuance is appropriate to give the Court adequate time to rule on any dispositive motions before the trial date.
2. Mr. Larry is not incarcerated and agrees to this continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

This is the first request for a continuance of the Bench Trial.

DATED this 18th day of November 2021.

RENE L. VALLADARES
Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Benjamin F. J. Nemec
By _____

BENJAMIN NEMEC
Assistant Federal Public Defender

/s/ Rachel Kent
By _____

RACHEL KENT
Special Assistant United States
Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 v.

7 DWAYNE HAROLD LARRY,
8


9 Defendant.

Case No. 2:21-mj-00681-EJY

ORDER

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11 IT IS THEREFORE ORDERED that the bench trial currently scheduled
12 on Wednesday, November 24, 2021 at 9:00 a.m., be vacated and continued to
13 May 18, 2022 at the hour of 9:00 a.m. in Courtroom 3D.

14 DATED this 18th day of November 2021.

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16 UNITED STATES MAGISTRATE JUDGE
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